

**UNION TOWNSHIP – TOWNSHIP COMMITTEE
REGULAR MEETING**

OCTOBER 4, 2006

MINUTES

Mayor Rossi opened the meeting at 7:05 p.m.

“Sunshine Law” Announcement: Adequate notice of this public meeting has been provided by the Annual Notice; faxed to the Hunterdon Democrat and Courier News; posted on the public bulletin board and on file in the Municipal Clerk’s Office.

Roll Call – Present: Matt Mulhall, Rob Haynes, Frank Mazza and Bruce A. Rossi. J. Peter Jost, Esq., Township Attorney; Robert C. Bogart, P.E., Township Engineer; and K. Judith Fabian, Township Clerk, were also present. Absent: Patricia Dziubek.

Mr. Rossi announced Mrs. Dziubek is not present this evening due to a death in her family. He extended sympathy on behalf of the Township Committee and residents to Mrs. Dziubek and her family.

APPROVAL OF MINUTES – 1. Regular Meeting 9/20/06 – Motion was made by Mr. Mazza, seconded by Mr. Haynes, to adopt the Minutes. Vote – Ayes: Mr. Mazza, Mr. Haynes and Mr. Rossi. Abstain: Mr. Mulhall. Motion carried.

2. Executive Session of 9/20/06; no quorum eligible to vote; tabled to October 18th meeting.

REPORTS RECEIVED –	1. Tax Collector	9/06
	2. Municipal Court	8/06
	3. Finance Officer	Claims Register 10/4/06
	4. Recreation Committee	8/15/06

CORRESPONDENCE – Mr. Mazza mentioned the following: - correspondence on deer carcass removal; responsibility falls to the Municipality; options briefly discussed; - mentioned the letter regarding trees within the right-of-way on County Rd. 579.

TAKEN OUT OF AGENDA ORDER

Hidden Meadow Lane residents; Stacy Bourque, spokeswoman; - Ms. Bourque stated: the road has not been turned over to the Township; the residents are anxious to have that happen; the developer is not responding; residents are interested in receiving municipal services (snow/ice control).

Mr. Rossi mentioned certain requirements have not been met such as recording of documents. Mr. Jost mentioned he has not been able to get through to the developer; a deed for the road needs to be submitted; all the engineer’s issues have been satisfied. Mr. Rossi requested Mr. Jost call the developer every day in an attempt to resolve remaining details.

Tom Larkin asked – is the Township holding a bond? Mr. Jost responded there is a Performance Bond; however, documents have not been recorded.

Wyckoff Drive residents; Mary Jo Haggerty, spokeswoman; - residents of Wyckoff Drive are requesting the Township temporarily close Wyckoff Drive at Groom Rd. and Stires Way on October 31, 2006 between the hours of 6:00 p.m. and 9:00 p.m. for the safety of the children Trick/Treating.

Mr. Rossi was of the opinion there should be 100% concurrence on the part of the residents and access for emergency services; he would want the barricades to be manned in the event they would need to be moved. Mr. Mulhall agreed with Mr. Rossi. Mr. Rossi mentioned this temporary closing would be setting a precedent; rules have to be established and met.

Mr. Jost requested a Certificate of Insurance from the Brass Castle Homeowners Association naming Union Township as additional insured.

Mr. Mazza mentioned he supports this effort; however, he is not in favor of vehicles parking on Cooks Cross Rd.

Mr. Haynes agreed there needs to be 100% participation from the residents and he did not want to create a problem some place else (Cooks Cross Rd.).

Mr. Rossi reiterated there needs to be safe parking, manned barricades, an Insurance Certificate and 100% resident participation. He suggested Mrs. Haggerty’s group obtain detailed information on the requirements and return to the October 18th meeting.

Temporary no parking signs on Cooks Cross Rd. were briefly discussed.

OLD BUSINESS – 1. Personnel Manual/Revisions – Definitions and vacation policy were discussed. As Mrs. Dziubek was not present this evening it was agreed Mrs. Fabian will confer with Mrs. Dziubek. Mr. Haynes was in favor of re-visiting the vacation policy; tabled to the October 18th meeting.

2. Res. #2006-97; Supporting CERT (Community Emergency Response Team) Team in the Township of Union; - Mr. Jost noted the Township's insurance agent has determined this group would be covered the same as emergency workers/volunteers. The following resolution was introduced for adoption:

RESOLUTION #2006-97

**SUPPORTING CERT (COMMUNITY EMERGENCY RESPONSE TEAM)
TEAM IN THE TOWNSHIP OF UNION**

WHEREAS, the Federal Emergency management Agency, FEMA, has been promoting nationwide use of the Community Emergency Response Team concept since 1994; and

WHEREAS, CERT Training promotes a partnership effort between emergency services and the people that they serve, with a goal for emergency personnel to train members of neighborhoods, community organizations, or workplaces in basic response skills; and

WHEREAS, CERT training furthers the process of citizens understanding their responsibility in preparing for disaster and increases their ability to safely help themselves, their family and their neighbors; and

WHEREAS, these skills can help save and sustain lives following a disaster until help arrives.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Union, County of Hunterdon, State of New Jersey, that the Township of Union Committee is committed to supporting this program and the North Hunterdon Regional CERT Team.

Motion was made by Mr. Haynes, seconded by Mr. Mazza, to adopt the above resolution. Vote – Ayes: Mr. Mazza, Mr. Haynes, Mr. Mulhall and Mr. Rossi. Motion carried.

NEW BUSINESS – 1. The following resolution was introduced for adoption:

RESOLUTION #2006-98

ESTABLISHING AND DECLARING A JUVENILE CURFEW IN THE TOWNSHIP OF UNION

WHEREAS, P.L. 1992, Chapter 132 (N.J.S.A. 40:48-2.52 et seq.) authorizes and empowers a municipality to enact an ordinance making it unlawful for a juvenile of any age under 18 years within the discretion of the municipality to be on any public street or in a public place between the hours of 10:00 p.m. and 6:00 a.m. unless accompanied by the juvenile's parent or guardian, or unless engaged in, or traveling from, a business or activity which the laws of this State authorize a juvenile to perform and making it unlawful for any parent or guardian to allow an unaccompanied juvenile to be on any public street or in any public place during those hours; and

WHEREAS, the Township Committee of the Township of Union on October 6, 1993, adopted on final reading "An Ordinance to Provide for the Establishment of a Curfew for Juveniles in the Township of Union and Providing Penalties for the Violation thereof"; and

WHEREAS, said Ordinance provides that whenever the Governing Body shall determine the need for a curfew for juveniles, the Governing Body may by resolution declare a curfew in the municipality for a period of not more than 90 days and for such hours and under such conditions as may be prescribed by the Township Committee, provided that such curfew shall commence not earlier than 10:00 p.m. and shall end not later than 6:00 a.m. during each of the curfew dates established;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Union as follows:

1. Establishment of Juvenile Curfew. A juvenile curfew is hereby established and declared in the Township of Union commencing at 10:00 p.m. and ending at 6:00 a.m. of the following day, during each of the following curfew dates:

Monday, October 30, 2006

Tuesday, October 31, 2006; Trick or Treat Hours 12:00 p.m. to 9:00 p.m.

2. Condition of Curfew. During the curfew established herein, it shall be unlawful for any juvenile under the age of 18 years to be on any public street, or in a public place, either on foot or in a vehicle, within the Township of Union during the above designated times.

3. Exception to Curfew. The above-established curfew shall not apply to a juvenile: a) When the juvenile is engaged in an errand involving a medical emergency; b) When the juvenile is in attendance at an extra-curricular school activity, or an activity sponsored by a religious or community-based organization, or other cultural, educational, or social events; c) When work time of the juvenile who is gainfully and lawfully employed overlaps the curfew hours.
4. When the juvenile is an attendant as a bona fide student at an evening school of institution.
5. When the juvenile is accompanied by a parent or guardian or other adult having the care and custody of the juvenile.
6. When the juvenile is on an emergency errand or legitimate business directed by the juvenile's parent/guardian.
7. Responsibility of Parent or Guardian. During the curfew herein established, it shall be unlawful for any parent or guardian of a juvenile to allow an unaccompanied juvenile to be on a public street or in any public place in violation of the above-referenced Ordinance and the curfew established hereunder.
8. Posting, Publication and Distribution of Curfew Notice. Copies of the above Ordinance and this Resolution shall be posted in such public or quasi-public places as may be designated by the Township Committee and may be published in such newspapers as the Township Committee shall designate. Copies shall also be supplied to area schools with a request that they make students aware of the curfew. Failure to post, publish or distribute this Resolution or the above Ordinance shall not relieve any person from the obligation of complying with the terms of the curfew imposed hereunder.
9. Notification to Law Enforcement Agencies. Certified copies of this Resolution and the above-referenced Ordinance shall be sent by the Municipal Clerk to law enforcement agencies, including the Municipal Police Department, if any, and the New Jersey State Police.

Motion was made by Mr. Mazza, seconded by Mr. Haynes, to adopt the above resolution with the understanding the curfew is limited to the 2 dates stated above. Vote – Ayes: Mr. Mazza, Mr. Haynes and Mr. Rossi. Naye: Mr. Mulhall. Motion carried.

2. Recreation Committee; Bill Riddle, spokesman; - Mr. Rossi updated the Committee on a conversation he had with Mr. Riddle concerning Field C @ Finn Rd. Park (currently closed for maintenance); however, goals had been set up and subsequently removed by Township personnel.

Mr. Riddle stated the following: he thanked Mr. Haynes for his efforts in managing the fields at both Parks / was of the opinion the fields had matured / games had been scheduled for last Saturday even though it was agreed no one had opened the field / the Recreation Committee should manage the fields / was interested in improving communication between the Township Committee and the Recreation Committee / was in favor of the Recreation Committee proposing a plan for field management.

Field hockey needs briefly discussed.

Mr. Rossi suggested the Recreation Committee propose a plan for field management and wish list for 2007 at the beginning of January.

The mechanics of setting up goals was briefly discussed. Mr. Haynes requested a schedule of all games at each Park so that mowing can be done at opportune times.

Mr. Mulhall suggested occasionally a member of the Recreation Committee come to Township Committee meetings to discuss issues as Mr. Haynes has attended Recreation Committee meetings.

ENGINEER'S REPORT – Mr. Bogart had a matter for Executive Session. Lookout Pointe water construction permit has been issued by DEP to the Town of Clinton and the utility pole has been removed; - the speed survey for Perryville Rd. is progressing.

ATTORNEY'S REPORT – Mr. Jost had a matter for Executive Session.

MAYOR'S REPORT – Taken during the meeting.

COMMITTEE REPORT – Mr. Mulhall mentioned tomorrow he is meeting with COAH on the Township's 3rd round plan; the pre-mediation report 8/11/06 is available; a key element in our 2nd round plan is we do not get to take advantage of the bonus units until we actually start construction of units for the 2nd round; we have no units for the 2nd round other than the 2 units at Lookout Pointe which are not under construction yet; the strategy for the Milligan tract would be an 11 unit shortfall; with the bonus units, there is actually a 6 unit shortfall; he re-reviewed the plan and illustrated 3 phases on a proposed grading plan in order to meet our obligation (total of 9 buildings/45 units).

The Hunterdon County Housing Corporation is looking to obtain a loan for re-habs; they want Union Township to be a member of this program; after a brief discussion, it was agreed Union Township would not participate.

Mr. Mazza asked Mr. Jost the status of Mrs. Hoffman's belongings in her house? Mr. Jost referred to his recent correspondence to the Executor of Mrs. Hoffman's estate.

Mr. Haynes mentioned the following; - closing of Bridge #U-19 on Baptist Church Rd. by Hunterdon County Engineer's office on October 16th for approximately 3 weeks. Notice will be put on the Township's website; - occasionally vehicles are being left at Finn Rd. Park after closing; a notice will be left on windshields to discourage this practice.

COMMENTS FROM THE PUBLIC – Vito Castellaneta, daughter, Kim Thurber, purchasing a house at Perryville Estates, questioned the new portion of Main St. has been completed, is the Stop Work Order going to be lifted? Mr. Bogart mentioned the work is finished; however, he has not heard from the County Engineer about their inspection.

Mr. Haynes mentioned there are other items on the punch list; he has no problem lifting the Stop Work Order as the road appears to be finished; the signage is insufficient. Mr. Mulhall agreed.

Motion was made by Mr. Haynes, seconded by Mr. Mulhall, to authorize Robert C. Bogart, on behalf of the Township Committee, to notify the Building Inspector to lift the Stop Work Order after Mr. Bogart has received a letter from the County stating the work has been done to their satisfaction. Vote – Ayes: Mr. Haynes, Mr. Mulhall and Mr. Rossi. Abstain: Mr. Mazza. Motion carried.

Anthony Albanese, resident on the new portion of Main St., questioned is there any other reason why the Stop Work Order would not be lifted? Mr. Rossi was not aware of other issues; the Committee wants to see everything get done.

Mr. Mulhall provided the prior history of the imposition of the Stop Work Orders.

Mr. Bogart mentioned deeds/easements have to be submitted prior to the Township taking over the road.

CLERK'S REPORT – 1. (3) Raffle Licenses: Interfaith Hospitality network of Hunterdon County, Inc.; #2006-19/On-premise 50/50; #2006-20/Off-premise Merchandise; #2006-21/Off-premise Merchandise @ Hunterdon Hills Playhouse on November 13, 2006.

Motion was made by Mr. Mulhall, seconded by Mr. Haynes, to approve the above-mentioned raffle licenses. Vote – Ayes: Mr. Mazza, Mr. Haynes, Mr. Mulhall and Mr. Rossi. Motion carried.

2. (1) Raffle License: Union Township School PTA; #2006-22/On-premise Merchandise @ Union Township Elementary School on November 4, 2006.

Motion was made by Mr. Haynes, seconded by Mr. Mazza, to approve the 4 raffle licenses as mentioned above. Vote – Ayes: Mr. Mazza, Mr. Haynes and Mr. Rossi. Abstain: Mr. Mulhall. Motion carried.

3. Holiday Party – it was agreed the Township would host a Holiday get together in appreciation to employees and volunteers. Mrs. Fabian will obtain information.

PAYMENT OF BILLS – Mr. Haynes moved that all claims against the Township of Union as appearing in the Claims Register of this date be paid and that all checks listed hereinafter be issued in payment thereof, seconded by Mr. Mazza. Vote – Ayes: Mr. Mazza, Mr. Haynes, Mr. Mulhall and Mr. Rossi. Motion carried.

The following resolution was introduced for adoption:

RESOLUTION EXECUTIVE SESSION

WHEREAS, N.J.S.A. 10:4-12 allows for a public body to go into closed session during a public meeting; and

WHEREAS, the Union Township Committee has deemed it necessary to go into closed session to discuss certain matters which are exempted from the public;

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Union will go into closed session for the following reason(s) as outlined in N.J.S.A. 10:4-12: **Potential Litigation/Contract Negotiations**

Motion was made by Mr. Mazza, seconded by Mr. Haynes, to adopt the above resolution. Vote – Ayes: Mr. Mazza, Mr. Haynes, Mr. Mulhall, Mr. Mazza and Mr. Rossi. Motion carried.

It was agreed not to adjourn into Executive Session at this time.

Mrs. Cupon, Court Administrator, referred to the resignation of Teresa Masino, Deputy Court Administrator, effective November 1, 2006; she asked for direction in replacing Ms. Masino. It was agreed this position would be advertised in the newspaper and put on the Township website.

Mrs. Cupon mentioned the possibility of Franklin Township joining the Union Township Court; options briefly discussed.

The following resolution was introduced for adoption:

**RESOLUTION
EXECUTIVE SESSION**

WHEREAS, N.J.S.A. 10:4-12 allows for a public body to go into closed session during a public meeting; and

WHEREAS, the Union Township Committee has deemed it necessary to go into closed session to discuss certain matters which are exempted from the public;

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Union will go into closed session for the following reason(s) as outlined in N.J.S.A. 10:4-12: **Contract Negotiations and Potential Litigation.**

Motion was made by Mr. Mulhall, seconded by Mr. Mazza, to adopt the above resolution. Vote – Ayes: Mr. Mazza, Mr. Haynes, Mr. Mulhall and Mr. Rossi. Motion carried.

Motion was made by Mr. Mulhall, seconded by Mr. Haynes, to return to the regular meeting. Vote – Ayes: Mr. Mazza, Mr. Haynes, Mr. Mulhall and Mr. Rossi. Motion carried.

Motion was made by Mr. Mulhall, seconded by Mr. Mazza, that given the information Mr. Mazza provided with respect to unit 26A and the cost it would take to fully upgrade that piece of property and make it habitable, the Township Committee has decided not to rent that unit at this time. Vote – Ayes: Mr. Mazza, Mr. Haynes, Mr. Mulhall and Mr. Rossi. Motion carried.

Motion was made by Mr. Mulhall, seconded by Mr. Mazza, that given the information the Township Committee received previously on unit 26B at Hoffman Estates that the Township notify the current tenant that in accordance with State Statute that he has 18 months at which time the Township will retire that unit permanently and that he be notified in accordance with law and be given 18 months notice to make other living arrangements before that date. Vote – Mr. Mazza, Mr. Haynes, Mr. Mulhall and Mr. Rossi. Motion carried.

ADJOURNMENT – There being no further business to come before the Township Committee at this time, motion was made by Mr. Mulhall, seconded by Mr. Mazza, to adjourn. Vote – Ayes: Mr. Mazza, Mr. Haynes, Mr. Mulhall, Mr. Rossi. Motion carried.

Meeting adjourned at approximately 9:45 p.m.

Respectfully submitted,

K. Judith Fabian, RMC
Township Clerk